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Ref: Case Docket No.: **P3902D1**

First Named Inventor: **Suman Kumar Inala.**

Serial Number: **09/737,404**

Filing Date: **12/14/2000**

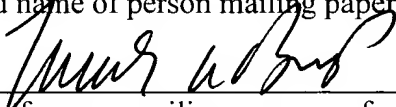
Title of Case: **Method and Apparatus for Obtaining and Presenting WEB Summaries to Users**

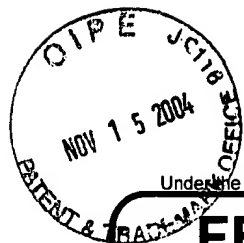
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1. Appeal Brief in triplicate.
2. Fee transmittal.
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4. Check for fees in the amount of \$170.00.
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 170.00

## Complete if Known

Application Number	09/737,404
Filing Date	12/14/2000
First Named Inventor	Suman Kumar Inala
Examiner Name	William D. Hutton Jr.
Art Unit	2179
Attorney Docket No.	P3902D1

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
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Number  
Deposit  
Account  
Name

50-0534

Mark A. Boys

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

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## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
0	-20** = 0	9	0.00
0	-3** = 0	44	0.00
Multiple Dependent			0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	170.00
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 170.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Donato R. Boys	Registration No.	35074	Telephone	831-726-1457
Signature		(Attorney/Agent)		Date	11/15/2004

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11-17-04

AF/2179/\$  
ITW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**INVENTOR:** Sumar Kumar Inala  
**CASE:** P3902D1  
**SERIAL NO.:** 09/737,404 **GROUP ART UNIT:** 2179  
**FILED:** 12/14/2000 **EXAMINER:** William D. Hutton Jr.  
**SUBJECT:** Method and Apparatus for Obtaining and Presenting WEB  
Summaries to Users

**PARTY IN INTEREST:** All inventions in the disclosure in the present case are  
assigned to or assignable to:

Yodlee.com, Inc.  
595 Lawrence Expressway  
Sunnyvale, CA 94086

To the Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sirs:

**APPEAL BRIEF**

11/19/2004 AWONDAF1 00000085 09737404

01 FC:2402

170.00 OP

### **37 C.F.R 1.192(c)(1) Real Party in Interest**

The real party in interest is the party named above in the caption of the brief, Yodlee.com, Inc.

### **37 C.F.R 1.192(c)(2) Related Appeals and Interferences**

This is an appeal from the action of the Primary Examiner dated 08/12/2004 finally rejecting claims 1-5 and 7-11, the only pending claims in the application. There are no related appeals or interferences in the instant case.

### **37 C.F.R 1.192(c)(3) Status of the Claims**

The present application was filed on December 14, 2000 with original claims 1-12. Claim 1 is an independent claim for an Internet Portal and the status is "previously presented." Claim 2 depends from claim one and is original. Claim 3 depends from claim 1 and is previously presented. Claim 4 depends from claim 1 and is original. Claim 5 depends from claim 1 and is original. Claim 6 is cancelled. Claim 7 is an independent method claim for providing summaries of information, personal and proprietary, to each one or more of a plurality of subscribing users and the status is "previously presented". Claim 8 depends from claim 7 and is original. Claim 9 depends from claim 7 and is original. Claim 10

depends from claim 7 and is original. Claim 11 depends from claim 7 and is original. Claim 12 is cancelled.

### **37 C.F.R 1.192(c)(4) Status of Amendments**

Following is a chronological listing of Office actions and Amendments filed in the instant case:

1. Original application filed with claims 1-12 on 12/14/2000.
2. The first Office Action was mailed on 4/12/2002. The Examiner objected to the disclosure because of informalities. Claims 1 and 7 were rejected under 35 U.S.C. 102(e) as being anticipated by Nazem (US 5,983,227) hereinafter Nazem. Claims 2-6 and 8-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nazem in view of Nehab (US 6,029,182) hereinafter Nehab.
3. Response A filed in response to 1<sup>st</sup> Office Action. Applicant amended the disclosure to overcome the Examiners objections. Applicant amended claims 1 and 7 to positively recite that the information at Web sites for providing summaries to the user, is information that is personal to the subscribing user, retrieved from Web sites that are pre-selected and authorized by the subscribing user.
4. A Second Office Action was mailed August 8, 2002 and the rejections were made final. Claims 1-12 were presented for examination. Claims 1-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nazem and Nehab.

5. Response B filed in response to the 2<sup>nd</sup> Office Action with a Continuing Prosecution Patent Application. Applicant carefully studied the prior art presented by the Examiner and the Examiner's rejections and statements. Applicant provided argument to more particularly point out and distinctly claim the subject matter regarded as inventive, and to establish that the claims distinguished unarguably over the prior art.
6. Third Office Action mailed on November 11, 2002. Claims 1-12 were presented for examination. The Examiner rejected claims 1-12 under 35 U.S.C. 103(a) as being unpatentable over Nazem in view of Nehab.
7. Response C was filed in response to the 3<sup>rd</sup> Office Action. Applicant amended the base claims to positively recite that the Internet portal accesses information on the Internet from secure servers and Web sites maintaining secure, personal financial accounts for the subscriber. Applicant provided argument to more particularly point out the subject matter regarded as inventive, distinguishing unarguably over the prior art.
8. Fourth Office Action mailed April 7, 2003, and made final. Claims 1-12 were pending for examination. Claims 1-6 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nazem, in view of Nehab, Gershman et al. (U.S. 6,356,905 B1), hereinafter Gershman, and Brunsting et al. (U.S. 6,505,164 B1), hereinafter Brunsting.
9. Response D was filed in response to the fourth Office Action along with a

Request for Continued Examination (RCE). In response to the 112 rejection, applicant amended claim 1 to correct the objectionable language. Regarding the Examiner's merit rejections of applicant's claims, applicant amended the independent claims to specifically recite wherein the summary software agent automatically logs in to the secure servers on behalf of, and transparent to the subscribing user according to data stored for the subscribing user at the Portal. Claims 6 and 12 were cancelled.

10. Fifth Office Action mailed June 19, 2003. Claims 1-5 and 7-11 were pending for examination. Claims 1-5 and 7-11 were rejected, by the Examiner, under 35 U.S.C. 103(a) as being unpatentable over Nazem, in view of Nehab, Gershman and Rao (U.S. 6,078, 929), hereinafter Rao.

11. Response E was filed by applicant in response to the Fifth Office Action. applicant herein amended the claims to specifically recite wherein the Internet Portal maintains a list of Internet destinations at secure servers maintaining personal financial accounts for individual ones of a plurality of subscribing users, on behalf of, and transparent to the subscribing users, and summarizes the retrieved information for delivery to the subscribing users.

12. Sixth Office Action mailed on October 09, 2003 and made Final. Claims 1-5 and 7-11 were pending for examination. Claims 1-5 and 7-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nazem in view of Nehab, Gershman and Rao.

13. Response F was filed by applicant in response to the Sixth Office Action. Applicant amended claims 1 and 7 to specifically recite that the financial

information at the WEB site is proprietary to the user.

14. Seventh Office Action mailed January 8, 2004. Claims 1-5 and 7-11 were presented for examination. The Examiner objected to claims 2 and 3 due to informalities. The Examiner maintained the previous rejection of claims 1-5 and 7-11 under 35 U.S.C. 103(a) as being unpatentable over Nazem, in view of Nehab, Gershman and Rao. Claims 1-5 and 7-11 are further rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen (US 6,006,333), hereinafter Nielsen, in view of Franco et al. (US 6,687,745), hereinafter Franco.

15. Response G was filed by applicant in response to the seventh Office Action. Applicant presented further argument that not all of the limitations of applicant's base claims are obvious considering the combined prior art presented.

16. The eighth Office Action was mailed August 12, 2004 and made final. Claims 1-5 and 7-11 are presented for examination. Claim 2 was objected to because of informalities. Claims 1-5 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nazem, in view of Nehab, Gershman and Rao. The present Appeal is in response to this Office Action.

### **37 C.F.R 1.192(c)(5) Summary of the Invention**

In a preferred embodiment of the present invention an Internet Portal (Fig. 1 page 6, line 24-28) is provided, comprising an Internet-connected server; and a portal software executing on the server, including a summary software agent (page 8 line 27 to page 9, line 2). The Portal maintains a list of Internet destinations



specific for a subscriber (Fig. 2 page 9, lines 9-18), and the summary software agent accesses the Internet destinations, retrieves information according to pre-programmed criteria, and summarizes the retrieved information for delivery to the subscriber (page 14, lines 10-22).

In one embodiment the Portal further comprises a configuration and initiation interface for a subscriber to set up and start a summary search, and summary searches may be configured for individual clients as templates stored and retrieved at the Internet-connected server. In some cases summary information is stored to be later downloaded at request of the subscriber, and in others the information is immediately pushed to the client. Also in some embodiments autologins are performed for the subscriber at each Internet site according to a data stored for the subscriber at the Portal (Fig. 4, page 20, lines 3-13).

For the first time a system is enabled allowing subscribers to quickly access multiple WEB sites without lengthy log-in procedures, and to also summarize and download the data resulting from a summary search.

### **37 C.F.R 1.192(c)(6) Issues**

1) Whether or not Gershman teaches retrieving, storing and summarizing financial information that is proprietary to the subscribing users, as asserted by the Examiner, and if the "personal" aspects of the system/service of Gershman reads on the personal information stored in the user's profile. 2) Whether or not Nielsen fails to teach that information is information proprietary to the subscribing user, as claimed. 3) If the art of Franco teaches maintaining proprietary financial accounts in Fig. 4A as described in the specification of Franco and relied upon by the

Examiner.

### **37 C.F.R 1.192(c)(7) Grouping of Claims**

The claims stand or fall together, and no grouping of separately patentable claims is presented.

### **37 C.F.R 1.192(c)(8) Argument**

1) Applicant argues that the reference of Gershman fails to teach retrieving, storing and summarizing financial information that is proprietary to the subscribing users, and that the "personal" aspects of the system/service relate to the personal information stored in the user's profile. The Examiner asserts that the information retrieved by Gershman is proprietary in that it uses trusted agents that err on the side of privacy of information, rather than on the side of stimulation of commerce, and that the third-party services of Gershman include "personal finance", and one of ordinary skill would have realized that this would have included online banking.

Applicant argues, however, that the fact that Gershman teaches the use of "trusted" agents, which may err on the side of privacy of information, rather than on the side of stimulation of commerce, certainly does not express or indicate that proprietary financial information is retrieved, stored and summarized for the user, as taught and claimed by applicant. The agents of Gershman are "trusted" to carry out the many various tasks on behalf of the subscribing user, such as going online to pay bills, filtering content and e-mails, and so on, but the information retrieved

and stored by the agents on behalf of the subscribing user is not owned solely by the subscribing user; rather, it is simply information, some of which may be personal to the subscribing user, but which may also be viewed and utilized by others who are not "trusted". Because the agent of Gershman is able to go online and pay bills, for example, for the subscribing user, without retrieving financial information proprietary to the subscribing user, or storing the retrieved financial information at the portal according to preprogrammed criteria, and summarizing the retrieved information for delivery to the subscribing users, is testament to this fact.

Applicant believes the Examiner, in his interpretation of the teachings of Gershman, reads more into the teachings than is actually provided by the reference, and for the reasons outlined above by applicant, Gershman still fails to read on the specific limitations of applicant's claims pertaining to proprietary financial information, and the Examiner's reliance on Gershman, in combination with the remaining references, to read on applicant's base claims is improper.

2) The Examiner has stated that, regarding claim 1, Nielsen substantially discloses the limitations of applicant's claim, with the exception that is not expressly disclosed that the information maintained, retrieved, and summarized is financial information. The Examiner provides the reference of Franco for teaching this deficiency.

Applicant argues that not only does Nielsen fail to teach that the information is financial information, Nielsen also fails to teach that the information is information proprietary to the subscribing user. Nielsen discloses (col. 1, lines 63-65) that users subscribe to Web sites, but that certainly does not expressly indicate that the information on those Web sites is proprietary to the users. Simply having a subscription for accessing information contained in a Web

site does not render said information proprietary to the user. Much of the information accessed by the subscribing user is information accessible to others visiting the Web sites, without authorization, therefore the information is clearly not proprietary to the users.

3) The Examiner has relied on the reference of Franco for teaching portal software executing on the server, including a summary software agent, wherein the portal software maintains proprietary financial accounts for users (Fig. 4A). Applicant respectfully points out to the Examiner, however, that Franco does not teach maintaining proprietary financial accounts in this illustration or description in the specification. The illustration simply depicts a computer display screen which is displaying an interaction window wherein the user may track stock trading and activity. The example is only used for illustrating a drag and drop operation in accordance with the invention. The Examiner has stated that, regarding Fig. 4A, the software of Franco "maintains" "proprietary financial accounts" in that it keeps information about stocks owned by the user, "retrieves" "proprietary financial information" in that it displays the user's stock portfolio and trading orders, and "summarizes" the retrieved information in that it displays only those stocks chosen for display by the user for the purpose of providing links to remotely stored information.

Upon careful review of Franco, particularly the portions cited and applied by the Examiner, applicant argues that, firstly, Franco does not "maintain" any financial account proprietary to the user. The Stock Watcher Application 100 of Fig. 4A upon is simply used to illustrate the "droplet" application enabling the user to create the interactive interface in the display window for accessing the remote information. Further, the remote information displayed for access by application 100 is not information that is financial information proprietary to the

user. Still further, the Examiner's contention that the stocks displayed by application 100 of Fig. 4A are owned by the subscribing user is conjecture on the Examiner's part. There is no specific disclosure or suggestion anywhere in the specification that the stocks displayed by application 100 are solely owned by the subscribing user, i.e. part of the user's stock portfolio. The displayed information does not constitute "proprietary financial accounts"; rather, the displayed information is simply the stock symbols, current stock values, and other information pertaining to each stock symbol. The information is not proprietary to the subscribing user, because it is also viewable by other stock traders, utilizing other means of accessing the data, who may be tracking the same stocks.

Still further to the above, the software taught by Franco does not "retrieve" "proprietary financial information" because the stock information displayed by application 100 of Fig. 4A is not specifically taught to be the user's stock portfolio and trading orders. Franco, therefore also fails to teach "summarizing" "proprietary financial information" because the information "summarized" by application 100 is simply a listing of stock symbols chosen by the user, and the current value and other information pertaining to each. There is no indication whatsoever that the stocks displayed are owned by the user, and the information therefore cannot be construed as "proprietary financial information".

Applicant believes in view of the above arguments presented herein, claims 1 and 7 are clearly and unarguably patentable as last amended over either combination of references relied on by the Examiner in this case, as neither combination produces applicant's claimed limitations of maintaining, retrieving, storing or summarizing financial information that is proprietary to the subscribing user. Claims 2-5 and 8-11 are then patentable on their own merits, or at least as depended from a patentable claim.

### **37 C.F.R 1.192(c)(9) Appendix A**

The following are the claims involved in the Appeal:

1. (previously presented) An Internet Portal, comprising:
  - an Internet-connected server; and
  - a portal software executing on the server, including a summary software agent;wherein the Portal maintains a list of Internet destinations at secure servers maintaining personal, proprietary financial accounts for each one or more of a plurality of subscribing users, and the summary software agent automatically logs in to the secure servers on behalf of, and transparent to the subscribing users, according to data stored for the subscribing users at the Portal, retrieves financial information proprietary to each one of the subscribing users, stores the retrieved financial information at the portal, according to pre-programmed criteria, and summarizes the retrieved information for delivery to the subscribing users.
2. (original) The Portal of claim 1 further comprising a configuration and initiation interface enabling the subscribers to set up and start a summary search.
3. (previously presented) The Portal of claim 1 wherein the summary searches are configured for individual clients as templates stored and retrieved at the Internet-connected server.
4. (original) The Portal of claim 1 wherein information retrieved in a summary

search is stored to be retrieved by the subscriber.

5. (original) The Portal of claim 1 wherein information retrieved in a summary search is downloaded immediately to the subscriber.

6. (cancelled)

7. (previously presented) In an Internet Portal system, a method for providing summaries of information personal and proprietary to each one or more of a plurality of subscribing users, stored at secure WEB sites specifically authorized and specified by the subscribing users, URLs for which are maintained for individual ones of the subscribing users, the method comprising steps of:

- (a) configuring a summary software agent executable on the Portal to access the URLs, wherein the URLs are Web site addresses at secure servers maintaining personal and proprietary financial accounts for the subscriber;
- (b) retrieving information from individual ones of the WEB sites accessed according to pre-programmed criteria specific to each subscriber; and
- (c) providing the information to the subscribers; wherein automatic secure logins for retrieving the information from the secure Web sites are performed on behalf of, and transparent to the subscribers according to data stored for each subscriber at the Portal.

8. (original) The method of claim 7 further comprising a step for the subscriber to configure and initiate, via a configuration and initiation interface, a summary search.

9. (original) The method of claim 7 wherein the summary searches are configured

for individual clients as templates stored and retrieved at the Internet-connected server.

10. (original) The method of claim 7 wherein information retrieved in a summary search is stored to be retrieved by the subscriber.

11. (original) The method of claim 7 wherein information retrieved in a summary search is downloaded immediately to the subscriber.

12. (cancelled)

Respectfully Submitted,

Sumar Kumar Inala

by 

Donald R. Boys

Reg. No. 35,074

Central Coast Patent Agency  
P.O. Box 187  
Aromas, CA 95004  
(831) 726-1457